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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
09/840,617	04/23/2001	Charles Louis Haymes	YOR919980167US3	5596
75	90 07/03/2003			
Louis P. Herzberg IBM Corporation Intellectual Property Law Dept.			EXAMINER	
			TRAN, CONGVAN	
P.O. Box 218 Yorktown Heights, NY 10598		ART UNIT	PAPER NUMBER	
			2683	n
			DATE MAILED: 07/03/2003	

Please find below and/or attached an Office communication concerning this application or proceeding.

1) Notice of References Cited (PTO-892)  4) Interview Summary (PTO-413) Paper No(s).	<u> </u>						
## Congrain Train ## Congrain Train ## 2683  ## Feriod for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ② MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  **Statement of the ren'y is evaluate under the provisions of 31 CFR 1.130(a). In no event, however, may a reply be threatly like to the ren'y is evaluate under the provisions of 31 CFR 1.130(a). In no event, however, may a reply be threatly like to the reply is evaluate under the provisions of 31 CFR 1.130(a). In no event, however, may a reply be threatly like to the provisions of 31 CFR 1.130(a). In no event, however, may a reply be threatly like the provisions of 31 CFR 1.130(a). In no event, however, may a reply be threatly like the provisions of 31 CFR 1.130(a). In no event, however, may a reply be threatly like the provisions of 31 CFR 1.130(a). In no event, however, may a reply be threatly like the provisions of 31 CFR 1.130(a). In no event, however, may a reply be threatly like the provisions of 1.130(a). In no event, however, may a reply be threatly like the provisions of 1.130(a). In no event, however, may a reply be threatly like the provisions of 1.130(a). In no event, however, may a reply be threatly like the provisions of 1.130(a). In no event, however, may a reply be threatly like the provisions of 1.130(a). In no event, however, may a reply be threatly like the provisions of 1.130(a). In the provision		Application No.	Applicant(s)				
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The MAILING DATE of this communication appears on the cover sheet with the correspondence address—Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ② MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  Extensive of term may be available under the provisions of 3 CER 1.13(ld). In no event, however, may a reply be timely filed  Extensive of term may be available under the provisions of 3 CER 1.13(ld). In no event, however, may a reply be timely filed  If the period for reply specified above is less than thirty (30) days, a reply with the stationy minimum of thirty (30) days will be considered timely.  If the period for reply specified above is less than thirty (30) days, a reply with the stationy minimum of thirty (30) days will be considered timely.  If the period for reply specified with the station of the communication of the communication of the communication of the station of the communication.  If the period for reply specified with the station of the station of the station of the communication of the station	, Office Action Summary	Examiner	Art Unit				
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THE MAILING DATE OF THIS COMMUNICATION.  Estatesiacs of time may be available under the provisions of 37 CFR 1.158(a). In no event, however, may a reply be limely filed after 50 kg (b) MONTHS from the mailing date of this communication.  It no perceive the provision of the prov	The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply						
1) Responsive to communication(s) filed on 23 April 2001.  2a) This action is FINAL. 2b) This action is non-final.  3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4) Claim(s) 1-80 is/are pending in the application.  4a) Of the above claim(s) 1-61, 74-80 is/are withdrawn from consideration.  5) Claim(s) is/are allowed.  6) Claim(s) 62-73 is/are rejected.  7) Claim(s) is/are objected to.  8) Claim(s) are subject to restriction and/or election requirement.  Application Papers  9) The specification is objected to by the Examiner.  10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  11) The proposed drawing correction filed on is: a) approved by disapproved by the Examiner.  If approved, corrected drawings are required in reply to this Office action.  12) The oath or declaration is objected to by the Examiner.  Priority under 35 U.S.C. §§ 119 and 120  13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) All b) Some *c) None of:  1. Certified copies of the priority documents have been received.  2. Certified copies of the priority documents have been received in Application No.  3. Copies of the certified copies of the priority documents have been received.  14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  a) The translation of the foreign language provisional application has been received.  15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.  Attachment(s)  10) Notice of Informal Patent Application (PTO-152)	THE MAILING DATE OF THIS COMMUNICATION.  - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).  - Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).						
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## **DETAILED ACTION**

- 1. This office action is in response to Pre-Amendment filed on April 23, 2003.
- 2. Claims 1-61, 74-80 have been cancelled.

## Claim Rejections - 35 USC § 103

- 3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
  - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 4. Claims 62-73 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kimoto et al. (6,115,611).

Regarding claims 62, 67, Kimoto et al. discloses a mobile communication system, and a mobile terminal, an information center and a storage medium used therein comprising providing a database of information of the wireless network (see fig.3, element 24B and its description); one of the users entering a trip route to a GPS system in the one user's vehicle (see fig.3, element 1F, 11f and its description); said vehicle querying the database to download the information in the trip route (see fig.3, element 14F and its description). Although Kimoto does not clearly state the information retrieve from information center 2B are dead zones or non-operating areas. However, Kimoto provide map information of area, according to techniques which are within the skill of the ordinary artisan. Thus, it would have been obvious to one having ordinary skill in the art at the time the invention was made to use this technique to provide the

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dead zones information or non-operating areas in information center in order to improve the use of telecommunication services in GPS system.

Regarding claims 63-64, 68-69 Kimoto et al. further comprising the map on a GPS screen (see fig.8, element 42a, col.1, lines 45-54 and its description).

Regarding claims 65-66, 70-73 Kimoto et al. further comprising the indicating the current position of the user (see col.2, lines 4-12).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Congvan Tran whose telephone number is 703-305-4024. The examiner can normally be reached on monday-thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on 703-308-5318. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

CT

June 27, 2003

Congvan Tran Examiner Art Unit 2683